

§§ 104(c)(2), 108(d)(2), 117(b)(3), 126(a)(1), (b), 93 Stat. 596, 602, 619, 628; Dec. 17, 1980, Pub. L. 96-538, title III, §§ 308, 309, 94 Stat. 3192; Aug. 13, 1981, Pub. L. 97-35, title IX, § 936(a), 95 Stat. 572, defined terms applicable to this subchapter, prior to repeal by Pub. L. 99-660, title VII, § 701(a), Nov. 14, 1986, 100 Stat. 3799, effective Jan. 1, 1987.

#### AMENDMENTS

1993—Subsec. (c)(3). Pub. L. 103-183 added par. (3).

### § 300n-1. Description of intended uses of grant

The Secretary may not make a grant under section 300k of this title unless—

(1) the State involved submits to the Secretary a description of the purposes for which the State intends to expend the grant;

(2) the description identifies the populations, areas, and localities in the State with a need for the services or activities described in section 300k(a) of this title;

(3) the description provides information relating to the services and activities to be provided, including a description of the manner in which the services and activities will be coordinated with any similar services or activities of public and private entities; and

(4) the description provides assurances that the grant funds will be used in the most cost-effective manner.

(July 1, 1944, ch. 373, title XV, § 1505, as added Pub. L. 101-354, § 2, Aug. 10, 1990, 104 Stat. 414; amended Pub. L. 103-43, title XX, § 2008(c)(2), June 10, 1993, 107 Stat. 211; Pub. L. 103-183, title I, § 101(g)(2), Dec. 14, 1993, 107 Stat. 2229; Pub. L. 105-392, title IV, § 401(b)(6), Nov. 13, 1998, 112 Stat. 3587.)

#### Editorial Notes

##### PRIOR PROVISIONS

A prior section 300n-1, act July 1, 1944, ch. 373, title XV, § 1532, as added Jan. 4, 1975, Pub. L. 93-641, § 3, 88 Stat. 2251; amended Oct. 8, 1976, Pub. L. 94-460, title I, § 117(a), 90 Stat. 1954; Nov. 9, 1978, Pub. L. 95-619, title III, § 303(b), (c), 92 Stat. 3248; Oct. 4, 1979, Pub. L. 96-79, title I, §§ 103(d), 116, 117(b)(5), 93 Stat. 595, 610, 620; Dec. 17, 1980, Pub. L. 96-538, title III, § 310, 94 Stat. 3192, provided for procedures and criteria for review of proposed health system changes, prior to repeal by Pub. L. 99-660, title VII, § 701(a), Nov. 14, 1986, 100 Stat. 3799, effective Jan. 1, 1987.

#### AMENDMENTS

1998—Par. (3). Pub. L. 105-392 struck out “nonprofit” before “private entities”.

1993—Par. (3). Pub. L. 103-183, § 101(g)(2)(A), substituted “public and nonprofit private entities; and” for “public or nonprivate entities (and additionally, in the case of services and activities under section 300k(a)(1) of this title, with any similar services or activities of private entities); and”.

Pub. L. 103-43 inserted before semicolon “(and additionally, in the case of services and activities under section 300k(a)(1) of this title, with any similar services or activities of private entities)”.

Par. (4). Pub. L. 103-183, § 101(g)(2)(B), inserted “will” after “grant funds”.

### Statutory Notes and Related Subsidiaries

#### EFFECTIVE DATE OF 1998 AMENDMENT

Amendment by Pub. L. 105-392 deemed to have taken effect immediately after enactment of Pub. L. 103-183,

see section 401(e) of Pub. L. 105-392, set out as a note under section 242m of this title.

### § 300n-2. Requirement of submission of application

The Secretary may not make a grant under section 300k of this title unless an application for the grant is submitted to the Secretary, the application contains the description of intended uses required in section 300n-1 of this title, and the application is in such form, is made in such manner, and contains such agreements, assurances, and information as the Secretary determines to be necessary to carry out this subchapter.

(July 1, 1944, ch. 373, title XV, § 1506, as added Pub. L. 101-354, § 2, Aug. 10, 1990, 104 Stat. 414.)

#### Editorial Notes

##### PRIOR PROVISIONS

A prior section 300n-2, act July 1, 1944, ch. 373, title XV, § 1533, as added Jan. 4, 1975, Pub. L. 93-641, § 3, 88 Stat. 2253, provided for technical assistance to health systems agencies and State agencies, prior to repeal by Pub. L. 99-660, title VII, § 701(a), Nov. 14, 1986, 100 Stat. 3799, effective Jan. 1, 1987.

### § 300n-3. Technical assistance and provision of supplies and services in lieu of grant funds

#### (a) Technical assistance

The Secretary may provide training and technical assistance with respect to the planning, development, and operation of any program or service carried out pursuant to section 300k of this title. The Secretary may provide such technical assistance directly or through grants to, or contracts with, public and private entities.

#### (b) Provision of supplies and services in lieu of grant funds

##### (1) In general

Upon the request of a State receiving a grant under section 300k of this title, the Secretary may, subject to paragraph (2), provide supplies, equipment, and services for the purpose of aiding the State in carrying out such section and, for such purpose, may detail to the State any officer or employee of the Department of Health and Human Services.

##### (2) Corresponding reduction in payments

With respect to a request described in paragraph (1), the Secretary shall reduce the amount of payments under the grant under section 300k of this title to the State involved by an amount equal to the costs of detailing personnel (including pay, allowances, and travel expenses) and the fair market value of any supplies, equipment, or services provided by the Secretary. The Secretary shall, for the payment of expenses incurred in complying with such request, expend the amounts withheld.

(July 1, 1944, ch. 373, title XV, § 1507, as added Pub. L. 101-354, § 2, Aug. 10, 1990, 104 Stat. 414.)

#### Editorial Notes

##### PRIOR PROVISIONS

A prior section 300n-3, act July 1, 1944, ch. 373, title XV, § 1534, as added Jan. 4, 1975, Pub. L. 93-641, § 3, 88

Stat. 2255; amended Aug. 1, 1977, Pub. L. 95-83, title I, §102(d), 91 Stat. 383; Oct. 4, 1979, Pub. L. 96-79, title I, §§125, 127(d), 93 Stat. 628, 629; Aug. 13, 1981, Pub. L. 97-35, title IX, §933(a)(3), 95 Stat. 570, provided for developing new centers for health planning, prior to repeal by Pub. L. 99-660, title VII, §701(a), Nov. 14, 1986, 100 Stat. 3799, effective Jan. 1, 1987.

#### § 300n-4. Evaluations and reports

##### (a) Evaluations

The Secretary shall, directly or through contracts with public or private entities, provide for annual evaluations of programs carried out pursuant to section 300k of this title. Such evaluations shall include evaluations of—

(1) the extent to which States carrying out such programs are in compliance with section 300k(a)(2) of this title and with section 300n(c) of this title; and

(2) the extent to which each State receiving a grant under this subchapter is in compliance with section 300l of this title, including identification of—

(A) the amount of the non-Federal contributions by the State for the preceding fiscal year, disaggregated according to the source of the contributions; and

(B) the proportion of such amount of non-Federal contributions relative to the amount of Federal funds provided through the grant to the State for the preceding fiscal year.

##### (b) Report to Congress

The Secretary shall, not later than 1 year after April 20, 2007,<sup>1</sup> and annually thereafter, submit to the Committee on Energy and Commerce of the House of Representatives, and to the Committee on Labor and Human Resources of the Senate, a report summarizing evaluations carried out pursuant to subsection (a) during the preceding fiscal year and making such recommendations for administrative and legislative initiatives with respect to this subchapter as the Secretary determines to be appropriate, including recommendations regarding compliance by the States with section 300k(a)(2) of this title and with section 300n(c) of this title.

(July 1, 1944, ch. 373, title XV, §1508, as added Pub. L. 101-354, §2, Aug. 10, 1990, 104 Stat. 415; amended Pub. L. 103-183, title I, §101(e), Dec. 14, 1993, 107 Stat. 2228; Pub. L. 110-18, §2(3), Apr. 20, 2007, 121 Stat. 83.)

#### Editorial Notes

##### REFERENCES IN TEXT

April 20, 2007, referred to in subsec. (b), was in the original “the date of the enactment of the National Breast and Cervical Cancer Early Detection Program Reauthorization of 2007”, and was translated as reading “the date of the enactment of the National Breast and Cervical Cancer Early Detection Program Reauthorization Act of 2007”, to reflect the probable intent of Congress.

##### PRIOR PROVISIONS

A prior section 300n-4, act July 1, 1944, ch. 373, title XV, §1535, as added Jan. 4, 1975, Pub. L. 93-641, §3, 88 Stat. 2256, provided for review by Secretary of oper-

ations of designated health systems agencies and State agencies, prior to repeal by Pub. L. 99-660, title VII, §701(a), Nov. 14, 1986, 100 Stat. 3799, effective Jan. 1, 1987.

##### AMENDMENTS

2007—Subsec. (a). Pub. L. 110-18, §2(3)(A), substituted “evaluations of—” and pars. (1) and (2) for “evaluations of the extent to which States carrying out such programs are in compliance with section 300k(a)(2) of this title and with section 300n(c) of this title.”

Subsec. (b). Pub. L. 110-18, §2(3)(B), substituted “not later than 1 year after April 20, 2007, and annually thereafter” for “not later than 1 year after the date on which amounts are first appropriated pursuant to section 300n-5(a) of this title, and annually thereafter”.

1993—Subsec. (a). Pub. L. 103-183, §101(e)(1), inserted at end “Such evaluations shall include evaluations of the extent to which States carrying out such programs are in compliance with section 300k(a)(2) of this title and with section 300n(c) of this title.”

Subsec. (b). Pub. L. 103-183, §101(e)(2), inserted before period at end “, including recommendations regarding compliance by the States with section 300k(a)(2) of this title and with section 300n(c) of this title”.

#### Statutory Notes and Related Subsidiaries

##### CHANGE OF NAME

Committee on Labor and Human Resources of Senate changed to Committee on Health, Education, Labor, and Pensions of Senate by Senate Resolution No. 20, One Hundred Sixth Congress, Jan. 19, 1999.

Committee on Energy and Commerce of House of Representatives treated as referring to Committee on Commerce of House of Representatives by section 1(a) of Pub. L. 104-14, set out as a note preceding section 21 of Title 2, The Congress. Committee on Commerce of House of Representatives changed to Committee on Energy and Commerce of House of Representatives, and jurisdiction over matters relating to securities and exchanges and insurance generally transferred to Committee on Financial Services of House of Representatives by House Resolution No. 5, One Hundred Seventh Congress, Jan. 3, 2001.

#### § 300n-4a. Supplemental grants for additional preventive health services

##### (a) Demonstration projects

In the case of States receiving grants under section 300k of this title, the Secretary, acting through the Director of the Centers for Disease Control and Prevention, may make grants to not more than 3 such States to carry out demonstration projects for the purpose of—

(1) providing preventive health services in addition to the services authorized in such section, including screenings regarding blood pressure and cholesterol, and including health education;

(2) providing appropriate referrals for medical treatment of women receiving services pursuant to paragraph (1) and ensuring, to the extent practicable, the provision of appropriate follow-up services; and

(3) evaluating activities conducted under paragraphs (1) and (2) through appropriate surveillance or program-monitoring activities.

##### (b) Status as participant in program regarding breast and cervical cancer

The Secretary may not make a grant under subsection (a) unless the State involved agrees that services under the grant will be provided only through entities that are screening women

<sup>1</sup> See References in Text note below.